

6834

2013-2014 Regular Sessions

I N   A S S E M B L Y

April 19, 2013

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Introduced by M. of A. ABBATE -- read once and referred to the Committee  
on Governmental Employees

AN ACT to amend the administrative code of the city of New York, in  
relation to city employees injured in the course of duty

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivisions a and b and the closing paragraph of section  
2     12-127 of the administrative code of the city of New York, subdivisions  
3     a and b as amended and the closing paragraph as added by chapter 806 of  
4     the laws of 1986, are amended to read as follows:  
5     a. Any ACTIVE OR RETIRED member of the uniformed forces of the fire or  
6     police departments, OR ANY MEMBER WHO IS OTHERWISE SEPARATED FROM SUCH  
7     SERVICE WITH VESTED PENSION RIGHTS, or any person employed in the  
8     department of sanitation in the sanitation service classification of the  
9     classified civil service who shall be injured while actually employed in  
10    the discharge of police orders of his or her superior officers in the  
11    police station, fire house or sanitation section station, as the case  
12    may be, or as the result of illness traceable directly to the perform-  
13    ance of police, fire or sanitation duty, as the case may be, or any  
14    employee of the department of parks, general services, ports and termi-  
15    nals or environmental protection or a person employed by the police  
16    commissioner as a school crossing guard who shall be injured while actu-  
17    ally employed in the discharge of duty, shall be received by any hospi-  
18    tal for care and treatment when such facts are certified to by the head  
19    of the department. Unless otherwise provided in this section, such  
20    members OR RETIRED OR VESTED MEMBERS shall be received by any hospital  
21    at the usual ward patient rates. The bill for such care and treatment at  
22    such rates, when certified by the superintendent or other person in  
23    charge of such hospital and approved by the head of the department  
24    concerned, shall be paid by the city.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1     b. Any ACTIVE OR RETIRED member of the uniformed forces of the fire or  
2 police department, OR ANY MEMBER WHO IS OTHERWISE SEPARATED FROM SUCH  
3 SERVICE WITH VESTED PENSION RIGHTS, or any person employed in the  
4 department of sanitation in the sanitation service classification of the  
5 classified civil service or a person employed by the police commissioner  
6 as a school crossing guard who, while in the actual performance of duty,  
7 and by reason of the performance of such duty and without fault or  
8 misconduct on his or her part, shall receive injuries to an extent which  
9 may endanger his or her life, shall be received by any hospital for care  
10 and treatment, and shall be afforded such medical or surgical care and  
11 hospitalization as may be ordered by the chief medical officer of the  
12 respective departments in conformity with the provisions of this  
13 section. Such medical officer shall forthwith notify the comptroller of  
14 the care and hospitalization so ordered. The rate charged for such care  
15 and hospitalization for such member OR RETIRED OR VESTED MEMBER or such  
16 person shall not exceed the rate charged any person in receipt of an  
17 income equal to the salary of such member or of such person for the same  
18 accommodations. The comptroller and the heads of the departments  
19 affected shall make necessary rules and regulations to carry out the  
20 provisions of this section. Upon certification by the chief medical  
21 officer of the department concerned, the bill for such care and hospi-  
22 talization, when certified by the superintendent or other person in  
23 charge of the hospital and approved by the head of the department  
24 concerned, shall be paid by the city.

25     Notwithstanding any provision of law to the contrary, a provider of  
26 medical treatment or hospital care furnished pursuant to the provisions  
27 of this section shall not collect or attempt to collect reimbursement  
28 for such treatment or care from any such city employee OR RETIRED OR  
29 VESTED MEMBER.

30     S 2. This act shall take effect immediately.